

# SESSIONS

TRANSTRUSTS BERMUDA 2019 - WELCOME BBQ - 05/06/  
2019

Transcontinental Trusts: International Forum  
2020

4 & 5 June 2020  
Bermuda

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**Welcome BBQ at the Princess Hamilton Marina**

19:00 - 21:00

# SCHEDULE

TRANSTRUSTS BERMUDA 2019 - WELCOME BBQ - 05/06/  
2019

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TIME	
19:00	19:00 - Welcome BBQ at the Princess Hamilton Marina

# SESSIONS

TRANSTRUSTS BERMUDA 2019 - DAY 1 - STABILITY & SECURITY  
- 06/06/2019

Transcontinental Trusts: International  
Forum 2020

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## Registration

08:00 - 08:30

## Common Alternatives to Trusts.

08:30 - 09:00

Breakfast Briefing - Room 1

## Participants

**Gary Heynes** - Partner, Head of Private Client Services, RSM UK

**Art Giacosa** - Partner, RSM US

## Trusts under Attack

08:30 - 09:00

Breakfast Briefing - Room 2

## Participants

**Robert Brodrick** - Partner, Payne Hicks Beach

**Simon Goldring** - Senior Associate, Maurice Turnor Gardner

**Gilead Cooper QC** - Barrister, Wilberforce Chambers

## Refreshment prior to commencing in the main room

09:00 - 09:20

## Chairmen's Opening Remarks

09:20 - 09:30

## Participants

**Mr Jonathan Conder** - Partner, Macfarlanes

**Basil Zirinis** - Partner, Sullivan & Cromwell LLP

## Opening Welcome from the BDA

09:30 - 09:35

## Participants

**Andy Burows** - CEO, BERMUDA BUSINESS DEVELOPMENT AGENCY (BDA)

## Minister of Finance Welcome

09:35 - 09:40

## Participants

**Curtis Dickinson, J.P., M.P.** - Minister of Finance, -

## Keynote - Family Governance

09:40 - 10:25

*Carol Weisman, author of Becoming One of the Grateful Dead: Where there's a Will, there's a way will share her insights into how to retain generations of clients.*

- How many people do you know in your client's family?
- Do you want to be a highly skilled technician or a trusted family adviser?
- Are you talking about philanthropy as a means to share values with the families

## Participants

**Carol Weisman** - Director, Board Builders

## Issues for the 21st Century Family

10:25 - 11:05

## Participants

**Joshua Rubenstein** - Head of Trusts & Estates, Katten Muchin Rosenman LLP

**Rupert Ticehurst** - Partner, Maurice Turnor Gardner

**Sonia Velasco** - Partner, Cuatrecasas Gonçalves Pereira

## Refreshment Break

11:05 - 11:35

## Latin America Update

11:35 - 12:15

*The panel will survey regional reforms and trends bringing increased transparency, including UBO registries, MDR, CRS, including key highlights of disclosures mandated by US tax reform and its' general impact on LatAm families*

## Participants

**Moderator: Michael Silva** - Partner, DLA Piper

**Brazil: Humberto De Haro Sanches**, UHôa Canto Rezende e Guerra Advogados

**Argentina: Augusto Mancinelli** - Of counsel, DLA Piper

**Mexico: Samy Lazarov** - Partner, Chevez Ruiz Zamarripa

## International Trust Litigation Update

12:15 - 12:55

## Participants

**Moderator: Keith Robinson** - Partner, Carey Olsen

**James Price** - Partner and Head of Trust and Probate Litigation department, Stewarts

**Anthony Poulton** - Partner, Baker & McKenzie

## Lunch

12:55 - 14:05

## Moderator's Opening Remarks

14:05 - 14:15

Stream 1 - Jurisdictional Options and Trends in HNW Movement

This stream will look at:

- Discussion of any recent changes in the chosen jurisdictions
- How any changes have impacted on the advice you give to clients
- Where are clients moving to and why

## Participants

**Beatrice Puoti** - Partner, Burges Salmon

## Moderator's Opening Remarks

14:05 - 14:15

Stream 2 - Litigation

## Participants

**Jeremy Kosky** - Partner, Clifford Chance LLP

## Moderator's Opening Remarks

14:05 - 14:15

Stream 3 - Trustee Focus

## Participants

**Paul Tucker** - Vice-President, Butterfield Bank (Guernsey) Limited

## Movement Session 1 - Focus on Italy and Spain

14:15 - 14:45

Stream 1 - Jurisdictional Options and Trends in HNW Movement

## Participants

**Sonia Velasco** - Partner, Cuatrecasas Gonçalves Pereira

**Nicola Saccardo** - Partner, Maisto E Associati

### Crociani revisited - trustees at jeopardy away from home.

14:15 - 14:45  
Steam 2 - Litigation

*Discussion about two recent cases in the Bahamas and Singapore where the "home" Courts declined to take jurisdiction over trustee claims.*

#### Participants

**Josh Lewison** - Barrister, Radcliffe Chambers  
**Mark Lindley** - Partner, Boodle Hatfield  
**Brian Simms QC** - Senior Partner, Lennox Paton  
**Nicole Buncher** - Senior Associate, Clifford Chance

### What does GDPR mean for International Trust Companies, and how they store their client Data?

14:15 - 14:45  
Steam 3 - Trustee Focus

*The EU General Data Protection Regulation (GDPR) entered into force on 24 May 2016 and applies since 25 May 2018. This session will discuss the likely impact of these regulations on the Trust Industry.*

#### Participants

**Paul Tucker** - Vice-President, Butterfield Bank (Guernsey) Limited  
**Professor Suzanne Rab** - Barrister, Serle Court

### Movement Session 2 - US, & Swiss Focus

14:45 - 15:15  
Stream 1 - Jurisdictional Options and Trends in HNW Movement

Discussion of the factors impacting US and Swiss clients, where they are moving to and current issues affecting clients in these regions.

#### Participants

**Christiana Lazo** - Counsel, Kirkland & Ellis

### No Contest Clauses - How Far can a Settlor go to seek a quiet life

14:45 - 15:15  
Steam 2 - Litigation

#### Participants

**Stephen Moverley Smith QC** - Barrister, XXIV Old Buildings  
**Graeme Kleiner** - Partner, Charles Russell Speechlys  
**Hugh Antrim** - Director, ThompsonMcMullan

### Challenges & Opportunities Facing Trustees

14:45 - 15:15  
Steam 3 - Trustee Focus

- Discussion of Investment issues and opportunities
- Issues faced by trustees in the management of properties and family owned businesses
- Criminal Aspects

#### Participants

**Grant Wilson** - Chief Investment Officer, ARC  
**Alison Dyer-Fagundo** - Managing Director, Estera  
**Craig MacIntrye** - Director, Conyers Dill & Pearman  
**Dean Berry** - Partner, Cadwalader

### Moderator's Closing Remarks

15:15 - 15:25  
Stream 1 - Jurisdictional Options and Trends in HNW Movement

#### Participants

**Beatrice Puoti** - Partner, Burges Salmon

### Moderator's Closing Remarks

15:15 - 15:25  
Steam 2 - Litigation

#### Participants

**Jeremy Kosky** - Partner, Clifford Chance LLP

### Moderator's Closing Remarks

15:15 - 15:25  
Steam 3 - Trustee Focus

#### Participants

**Paul Tucker** - Vice-President, Butterfield Bank (Guernsey) Limited

### Refreshment Break

15:25 - 15:55

### Practical points on Beddoe proceedings for litigators and non-litigators

15:55 - 16:35

- What is the Beddoe test? Is it different from ordinary blessing? Re the F Charitable Trust (2017)
- What is the test for submission to the jurisdiction and settling proceedings?
- How far does the power to compromise extend? Earl of Strafford
- How does without prejudice privilege operate in blessing proceedings?
- Duties of disclosure and rights to be heard- how far do they go?
- Dealing with attacks on the trust property and administering trusts under attack

#### Participants

**Jonathan Hilliard QC** - Barrister, Wilberforce Chambers  
**Scott Pearman** - Director, Conyers Dill & Pearman

### Offshore Update - Substance Rules and the EU Blacklist

16:35 - 17:15

*What is the impact going to be overseas territories and Crown Dependencies?*

#### Participants

**Paul Hodgson** - Managing Director, Butterfield Trust (Guernsey) Limited  
**Alison MacKrill** - Partner, Appleby  
**Charlie Maydon Grace** - Senior Associate, Macfarlanes

### Chairmen's Summation

17:15 - 17:25

#### Participants

**Mr Jonathan Conder** - Partner, Macfarlanes  
**Basil Zirinis** - Partner, Sullivan & Cromwell LLP

### Change and Get Ready for the Coaches to the Beach Party

17:25 - 18:25

### Beach Party - Buses will depart from the hotel 18.25 sharp.

18:25 - 19:00

### Drinks Party - Sponsored by Meritus

19:00 - 20:15

### Dinner

20:15 - 22:00

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- 06/06/2019

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**Buses return to the Princess at 10, 1030 and  
11**

22:00 - 23:00

# SCHEDULE

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TIME	BREAKFAST BRIEFING - ROOM 1	BREAKFAST BRIEFING - ROOM 2	STEAM 2 - LITIGATION	STEAM 3 - TRUSTEE FOCUS	STREAM 1 - JURISDICTIONAL OPTIONS AND TRENDS IN HNW MOVEMENT
<b>08:00</b>	08:00 - Registration 08:30 - Common Alternatives to Trusts.	08:00 - Registration 08:30 - Trusts under Attack	08:00 - Registration	08:00 - Registration	08:00 - Registration
<b>09:00</b>	09:00 - Refreshment prior to commencing in the main room 09:20 - Chairmen's Opening Remarks 09:30 - Opening Welcome from the BDA 09:35 - Minister of Finance Welcome 09:40 - Keynote - Family Governance	09:00 - Refreshment prior to commencing in the main room 09:20 - Chairmen's Opening Remarks 09:30 - Opening Welcome from the BDA 09:35 - Minister of Finance Welcome 09:40 - Keynote - Family Governance	09:00 - Refreshment prior to commencing in the main room 09:20 - Chairmen's Opening Remarks 09:30 - Opening Welcome from the BDA 09:35 - Minister of Finance Welcome 09:40 - Keynote - Family Governance	09:00 - Refreshment prior to commencing in the main room 09:20 - Chairmen's Opening Remarks 09:30 - Opening Welcome from the BDA 09:35 - Minister of Finance Welcome 09:40 - Keynote - Family Governance	09:00 - Refreshment prior to commencing in the main room 09:20 - Chairmen's Opening Remarks 09:30 - Opening Welcome from the BDA 09:35 - Minister of Finance Welcome 09:40 - Keynote - Family Governance
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14:00			<p><b>14:05</b> - Moderator's Opening Remarks</p> <p><b>14:15</b> - Crociani revisited - trustees at jeopardy away from home.</p> <p><b>14:45</b> - No Contest Clauses - How Far can a Settlor go to seek a quiet life</p>	<p><b>14:05</b> - Moderator's Opening Remarks</p> <p><b>14:15</b> - What does GDPR mean for International Trust Companies, and how they store their client Data?</p> <p><b>14:45</b> - Challenges &amp; Opportunities Facing Trustees</p>	<p><b>14:05</b> - Moderator's Opening Remarks</p> <p><b>14:15</b> - Movement Session 1 - Focus on Italy and Spain</p> <p><b>14:45</b> - Movement Session 2 - US, &amp; Swiss Focus</p>
15:00	<p><b>15:25</b> - Refreshment Break</p> <p><b>15:55</b> - Practical points on Beddoe proceedings for litigators and non-litigators</p>	<p><b>15:25</b> - Refreshment Break</p> <p><b>15:55</b> - Practical points on Beddoe proceedings for litigators and non-litigators</p>	<p><b>15:15</b> - Moderator's Closing Remarks</p> <p><b>15:25</b> - Refreshment Break</p> <p><b>15:55</b> - Practical points on Beddoe proceedings for litigators and non-litigators</p>	<p><b>15:15</b> - Moderator's Closing Remarks</p> <p><b>15:25</b> - Refreshment Break</p> <p><b>15:55</b> - Practical points on Beddoe proceedings for litigators and non-litigators</p>	<p><b>15:15</b> - Moderator's Closing Remarks</p> <p><b>15:25</b> - Refreshment Break</p> <p><b>15:55</b> - Practical points on Beddoe proceedings for litigators and non-litigators</p>
16:00	<b>16:35</b> - Offshore Update - Substance Rules and the EU Blacklist	<b>16:35</b> - Offshore Update - Substance Rules and the EU Blacklist	<b>16:35</b> - Offshore Update - Substance Rules and the EU Blacklist	<b>16:35</b> - Offshore Update - Substance Rules and the EU Blacklist	<b>16:35</b> - Offshore Update - Substance Rules and the EU Blacklist
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19:00	<b>19:00</b> - Drinks Party - Sponsored by Meritus	<b>19:00</b> - Drinks Party - Sponsored by Meritus	<b>19:00</b> - Drinks Party - Sponsored by Meritus	<b>19:00</b> - Drinks Party - Sponsored by Meritus	<b>19:00</b> - Drinks Party - Sponsored by Meritus
20:00	<b>20:15</b> - Dinner	<b>20:15</b> - Dinner	<b>20:15</b> - Dinner	<b>20:15</b> - Dinner	<b>20:15</b> - Dinner
21:00					

# SCHEDULE

TRANSTRUSTS BERMUDA 2019 - DAY 1 - STABILITY & SECURITY - 06/06/2019

Transcontinental Trusts: International Forum 2020

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Bermuda

<b>TIME</b>	<b>BREAKFAST BRIEFING - ROOM 1</b>	<b>BREAKFAST BRIEFING - ROOM 2</b>	<b>STEAM 2 - LITIGATION</b>	<b>STEAM 3 - TRUSTEE FOCUS</b>	<b>STREAM 1 - JURISDICTIONAL OPTIONS AND TRENDS IN HNW MOVEMENT</b>
<b>22:00</b>	<b>22:00</b> - Buses return to the Princess at 10, 1030 and 11	<b>22:00</b> - Buses return to the Princess at 10, 1030 and 11	<b>22:00</b> - Buses return to the Princess at 10, 1030 and 11	<b>22:00</b> - Buses return to the Princess at 10, 1030 and 11	<b>22:00</b> - Buses return to the Princess at 10, 1030 and 11

### Non Dom Tax Update

08:30 - 09:10  
Breakfast Briefing - Room 1

#### Participants

**Matthew Braithwaite** - Partner, Wedlake Bell

**Gary Heynes** - Partner, Head of Private Client Services, RSM UK

### Family Office & Next Gen Planning

08:30 - 09:10  
Breakfast Briefing - Room 2

#### Participants

**Von Sanborn** - Partner, Day Pitney

**Amy Staehr** - Partner, Long Reimer Winegar

**Geoffrey Cone** - Founder & Senior Principal, Cone Marshall

### Refreshment prior to commencing in the main room

09:10 - 09:30

### Chairman's Opening Remarks

09:30 - 09:40

#### Participants

**Mr Jonathan Conder** - Partner, Macfarlanes

**Basil Zirinis** - Partner, Sullivan & Cromwell LLP

### Keynote: An Unstable World?

09:40 - 10:20

Instability & How Political and Economic Risk is currently impacting on the Private Client World

#### Participants

**Jack Straw** - Ex Lord Chancellor & Justice Secretary (2007-2010), Foreign Secretary (2001-2006), Home Secretary (1997-2001), Leader of the Commons (2006-7)

### International Planning in Volatile Jurisdictions

10:20 - 11:00

#### Participants

**Moderator: Arabella Murphy** - Partner, Maurice Turnor Gardner

**Carlos de Serpa** - Partner, Appleby

**Arabella di Iorio** - Partner, Agon Litigation

### Refreshment Break

11:00 - 11:30

### What to Do When You Are Asked for Trust Documents

11:30 - 12:15

- Practical tips for trustees and other fiduciaries when faced with disclosure requests
- Who is asking for the information?
- What are they asking for and what should be disclosed?
- Why are they asking for it?
- How can you control trust information?

#### Participants

**Geoff Kertesz** - Partner, BDB Pitmans

**Charlotte Fraser** - Partner, Farrer & Co

**Andrew Holden** - Barrister, XXIV Old Buildings

**Charmaine Tucker** - Managing Director Bermuda, Lombard Odier Trust (Bermuda) Limited

### Mock Application - Transcontinental Trusts Supreme Court & Judgment

12:15 - 13:15

The Transcontinental Supreme Court is back for 2019! See how the experts argue their case in front our renowned judging panel lead by the Hon. Justice David Hayton.

A rare opportunity to watch the experts on their feet.

#### Participants

**In front of: The Hon. Justice David Hayton**, The Caribbean Court of Justice

**Justice Narinder Hargun** - Chief Justice, Supreme Court of Bermuda

**The Hon Justice Ian Kawaley**, Financial Services Division of the Cayman Islands Grand Court

**Advocates: Richard Wilson QC** - Barrister, Serle Court

**Jeffrey Elkinson** - Director, Conyers Dill & Pearman

**Elsbeth Talbot - Rice QC** - Barrister, XXIV Old Buildings

### Lunch

13:15 - 14:30

### Inbound Planning to the UK for US citizens

14:30 - 15:00  
Stream 4 - US Focus

#### Participants

**Patrick Harney** - Head of Private Client, Forsters

**Matthew Sperry** - Partner, Katten Muchin Rosenman LLP

### Structuring & Advising for Asian Clients

14:30 - 15:30  
Stream 5 - Asia Focus

Issued covers may include:

- Will there be an Asian case in the next few years that finds a PTC is really a nomineehip?
- How do you really get under the skin of Asian families to ascertain and solve their future problems?
- How can one persuade Asian settlers that it is worth paying a properly representative trustee fee?

#### Participants

**Moderator: Nicholas Jacobs** - Partner, Forsters

**Patricia Woo** - Counsel, Squire Patton Boggs

**Bernard Rennell** - Principal, InterGen Capital Partners Limited

### Structuring Options

14:30 - 15:30  
Stream 6 - Structuring

#### Participants

**Moderator: Joe Field** - Of Counsel, Pillsbury

**Raul-Angelo Papotti** - Head of Tax, Chiomenti.

**David Wallace Wilson** - Partner, Schellenberg Wittmer

**Jonathan Speck** - Managing Partner, Mourant Ozannes

**Thomas Wiese** - Senior Managing Director - Institutional Solutions, Lombard International

### Trustee's duty to disclose in the US

15:00 - 15:30  
Stream 4 - US Focus

*Discussion of creating silent trusts that limit that duty by modifications to existing trusts, or creating new trusts.*

#### Participants

**Nicole Mann** - Partner, McDermott Will & Emery LLP

**Peter Allport**, McDermott Will & Emery LLP

**Stacey Delich-Gould**, Capital Group Private Client Services

### Refreshment Break

15:30 - 16:00

# SESSIONS

TRANSTRUSTS BERMUDA 2018 - DAY 2 - FAMILY & CONTENTIOUS  
ISSUES - 07/06/2019

Transcontinental Trusts: International  
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## Wealth Protection in a Family Context

16:00 - 16:40

- Prenups and international prenups
- Trust policy document provisions for divorce

### Participants

**Christopher Wagstaffe QC** - Barrister, 29 Bedford Row

**Suzanne Kingston** - Consultant, Mills & Reeve

**Gretchen Schumann** - Partner, Cohen Rabin Stine  
Schumann LLP

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## The State of the International Private Client World Lessons Learnt & Conference Take Away Points

16:40 - 17:10

### Participants

**Michael Cash** - Partner, Penningtons Manches

**Nicholas Le Poidevin QC** - Barrister, New Square  
Chambers

**Richard Wilson QC** - Barrister, Serle Court

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## Close of Conference & Final Remarks from the Chairs

17:10 - 17:20

### Participants

**Mr Jonathan Conder** - Partner, Macfarlanes

**Basil Zirinis** - Partner, Sullivan & Cromwell LLP

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## Farewell Drinks Reception

17:20 - 18:20

# SCHEDULE

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TIME	BREAKFAST BRIEFING - ROOM 1	BREAKFAST BRIEFING - ROOM 2	STREAM 4 - US FOCUS	STREAM 5 - ASIA FOCUS	STREAM 6 - STRUCTURING
08:00	08:30 - Non Dom Tax Update	08:30 - Family Office & Next Gen Planning			
09:00	09:10 - Refreshment prior to commencing in the main room 09:30 - Chairman's Opening Remarks 09:40 - Keynote: An Unstable World?	09:10 - Refreshment prior to commencing in the main room 09:30 - Chairman's Opening Remarks 09:40 - Keynote: An Unstable World?	09:10 - Refreshment prior to commencing in the main room 09:30 - Chairman's Opening Remarks 09:40 - Keynote: An Unstable World?	09:10 - Refreshment prior to commencing in the main room 09:30 - Chairman's Opening Remarks 09:40 - Keynote: An Unstable World?	09:10 - Refreshment prior to commencing in the main room 09:30 - Chairman's Opening Remarks 09:40 - Keynote: An Unstable World?
10:00	10:20 - International Planning in Volatile Jurisdictions	10:20 - International Planning in Volatile Jurisdictions	10:20 - International Planning in Volatile Jurisdictions	10:20 - International Planning in Volatile Jurisdictions	10:20 - International Planning in Volatile Jurisdictions
11:00	11:00 - Refreshment Break 11:30 - What to Do When You Are Asked for Trust Documents	11:00 - Refreshment Break 11:30 - What to Do When You Are Asked for Trust Documents	11:00 - Refreshment Break 11:30 - What to Do When You Are Asked for Trust Documents	11:00 - Refreshment Break 11:30 - What to Do When You Are Asked for Trust Documents	11:00 - Refreshment Break 11:30 - What to Do When You Are Asked for Trust Documents
12:00	12:15 - Mock Application - Transcontinental Trusts Supreme Court & Judgment	12:15 - Mock Application - Transcontinental Trusts Supreme Court & Judgment	12:15 - Mock Application - Transcontinental Trusts Supreme Court & Judgment	12:15 - Mock Application - Transcontinental Trusts Supreme Court & Judgment	12:15 - Mock Application - Transcontinental Trusts Supreme Court & Judgment
13:00	13:15 - Lunch	13:15 - Lunch	13:15 - Lunch	13:15 - Lunch	13:15 - Lunch
14:00			14:30 - Inbound Planning to the UK for US citizens	14:30 - Structuring & Advising for Asian Clients	14:30 - Structuring Options
15:00	15:30 - Refreshment Break	15:30 - Refreshment Break	15:00 - Trustee's duty to disclose in the US 15:30 - Refreshment Break	15:30 - Refreshment Break	15:30 - Refreshment Break
16:00	16:00 - Wealth Protection in a Family Context 16:40 - The State of the International Private Client World Lessons Learnt & Conference Take Away Points	16:00 - Wealth Protection in a Family Context 16:40 - The State of the International Private Client World Lessons Learnt & Conference Take Away Points	16:00 - Wealth Protection in a Family Context 16:40 - The State of the International Private Client World Lessons Learnt & Conference Take Away Points	16:00 - Wealth Protection in a Family Context 16:40 - The State of the International Private Client World Lessons Learnt & Conference Take Away Points	16:00 - Wealth Protection in a Family Context 16:40 - The State of the International Private Client World Lessons Learnt & Conference Take Away Points

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<b>TIME</b>	<b>BREAKFAST BRIEFING - ROOM 1</b>	<b>BREAKFAST BRIEFING - ROOM 2</b>	<b>STREAM 4 - US FOCUS</b>	<b>STREAM 5 - ASIA FOCUS</b>	<b>STREAM 6 - STRUCTURING</b>
<b>17:00</b>	<b>17:10</b> - Close of Conference & Final Remarks from the Chairs <b>17:20</b> - Farewell Drinks Reception	<b>17:10</b> - Close of Conference & Final Remarks from the Chairs <b>17:20</b> - Farewell Drinks Reception	<b>17:10</b> - Close of Conference & Final Remarks from the Chairs <b>17:20</b> - Farewell Drinks Reception	<b>17:10</b> - Close of Conference & Final Remarks from the Chairs <b>17:20</b> - Farewell Drinks Reception	<b>17:10</b> - Close of Conference & Final Remarks from the Chairs <b>17:20</b> - Farewell Drinks Reception